

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

WAYNE BERRY, a Hawaii citizen;)	Civ. No. CV03 00385 SOM-LEK
)	(Copyright)
Plaintiff,)	
)	DECLARATION OF TIMOTHY J.
vs.)	HOGAN; EXHIBIT "A"
)	
HAWAIIAN EXPRESS SERVICE,)	
INC., a California corporation; et al.)	
)	
Defendants.)	
_____)	

DECLARATION OF TIMOTHY J. HOGAN

I, TIMOTHY J. HOGAN, hereby make the following declaration under penalty of law:

1. I am an attorney with the law firm of Lynch Ichida Thompson Kim & Hirota, which represents Plaintiff in the above-captioned matter.
2. Attached hereto as Exhibit "A" is a true and correct unsigned copy of the purported expert report of Bradley J. Dechter submitted to me by the Fleming Companies, Inc. Post-Confirmation Trust (the "PCT").
3. I have on several occasions requested that the PCT's attorneys provide me with evidence that Mr. Dechter had actually been provided copies of the

Berry's works that are involved in this case and they have refused to confirm that fact.

DATED: Honolulu, Hawaii, JAN 3 2006.


TIMOTHY J. HOGAN